IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 183 OF 2007

IN

FIRST APPEAL NO. 1482 OF 2007

THE NEW INDIA ASSURANCE CO. LTD. ..APPELLANT

V/S

VITHAL S. BHOSALE & ANR. ..RESPONDENTS

AARTI B. BARVE FOR APPELLANT.

NONE FOR THE RESPONDENTS.

CORAM: S.K. SHAH, J.

DATE : 19TH APRIL 2007.

P.C.

1. Learned counsel for the Appellant states that the entire amount of the award has been deposited. None for the Respondents. Mr. Kotak states that last time he has appeared on the instructions of the instructing advocate. However till date he has not received any instructions to appear in the matter nor he has filed any vakalatnama. At any rate, service of this application on the Respondent is made. As such the application is made absolute in terms of prayer clause (b) till the decision of

the Appeal. The application stands disposed of. Learned counsel for the Appellant states that Appellant may be allowed to withdraw Rs. 2,50,000/- out of the amount which was already deposited. Liberty to the Respondent No. 1 to withdraw the aforesaid amount of Rs. 2,50,000/-. Rest of the amount shall be kept in fixed deposit in any Nationalised Bank.

(S.K. SHAH, J.)